



## REQUEST FOR PROPOSALS

**Training Services for CDL Drivers (Class A&B) & Heavy Equipment Operators**  
*(Includes practical, hands-on, in-vehicle training)*  
**RFP#2016-009**

***Direct questions or information requests related to this RFP to:***  
[msd.procurement@cincinnati-oh.gov](mailto:msd.procurement@cincinnati-oh.gov)

### SCHEDULE

Release Date	June 15, 2016
Pre-submittal Meeting	N/A
<b>RFP Questions / Comments Deadline</b>	<b>JUNE 24, 2016, 1:30 p.m. (Cincinnati, Ohio Time)</b>
<b>SUBMITTAL DEADLINE /TIME</b>	<b>JULY 1, 2016, 1:30 p.m. (Cincinnati, Ohio Time)</b>
Evaluation Dates	July 5 – July 15, 2016
Negotiation and Award	By or before July 31, 2016

**ALL SUBMITTAL DELIVERIES ARE TO BE SENT TO: SEWERS PROCUREMENT**  
**(SEE RFP SECTION 1.9 FOR SPECIFIC LOCATIONS)**

The functional address of Sewers Procurement is Two Centennial Plaza, 805 Central Avenue, Ste. 234, Cincinnati, Ohio 45202-1947.

**NOTE:** Consult the information about this offer on the City of Cincinnati "Open Data" web site at <https://data.cincinnati-oh.gov>. Rules and registration information about the MSDGC Small Business Enterprise Program can be found at <http://www.msdc.org>.

Offeror may register as a City vendor online at [www.cincinnati-oh.gov/vss](http://www.cincinnati-oh.gov/vss).

# REQUEST FOR PROPOSALS

## Training Services for CDL Drivers (Class A&B) & Heavy Equipment Operators

### Table of Contents

1	REQUEST.....	1
1.1	INTRODUCTION .....	1
1.2	GENERAL BACKGROUND AND INFORMATION .....	1
1.3	PROJECT BACKGROUND AND INFORMATION .....	1
1.4	SCOPE OF SERVICES.....	2-3
	<i>Anticipated Term</i> .....	4
1.5	QUALIFICATIONS .....	4
1.6	TIMETABLE .....	5
1.7	QUESTIONS/COMMENTS CONCERNING THE RFP .....	5
1.8	PRE-SUBMITTAL MEETING .....	5
1.9	RFP SUBMISSIONS AND LOCATION .....	5
1.10	COMPETITION INTENDED.....	6
1.11	SELECTION PROCESS AND AWARD CRITERIA .....	6-9
1.12	PROCESS FOR ENTERING INTO AGREEMENT .....	9
1.13	ADDITIONAL INFORMATION .....	10-11
1.14	CONTRACTOR REGISTRATION .....	11
1.15	CHANGES AND ADDENDA TO RFP DOCUMENTS.....	12
1.16	MSDGC SMALL BUSINESS ENTERPRISE PROGRAM .....	12
1.17	MSDGC SMALL BUSINESS ENTERPRISE PROGRAM.....	12-12
1.18	NON-DISCRIMINATION POLICY .....	12
1.19	MSDGC EQUAL EMPLOYMENT OPPORTUNITY PROGRAM.....	133
2	CONTRACT TERMS AND CONDITIONS .....	144
3	SUBMITTALS .....	155
3.1	AUTHORIZATION OF SUBMITTAL .....	155
3.2	CONTENT AND FORM OF SUBMITTAL; QUALIFICATIONS QUESTIONNAIRE .....	155
3.3	RESPONSIBILITY OF THE CITY .....	166
3.4	EXCEPTIONS .....	166

# **1 REQUEST - Training Services for CDL Drivers (Class A&B) & Heavy Equipment Operators**

## **1.1 INTRODUCTION**

The City of Cincinnati, through its Department of Sewers (the “City”), as the sole management agency for the operation and maintenance of the sewer system on behalf of the Metropolitan Sewer District of Greater Cincinnati (“MSDGC”) is issuing this Request for proposals (hereinafter “RFP”), pursuant to the provisions of applicable Ohio law and MSDGC policy, from parties (hereinafter “Offeror”). Offeror shall provide the City with assistance for the purpose of completing the activities associated with the Scope of Services, below.

## **1.2 GENERAL BACKGROUND AND INFORMATION**

MSDGC provides wastewater collection and treatment for various municipal and unincorporated populations of Hamilton County, which has over 800,000 residents, as well as services to portions of Butler, Clermont, and Warren Counties. MSDGC's service area covers more than 400 square miles. Over 200,000 separate sewer connections tie into MSDGC's 3,000+ miles of sanitary and combined sewers.

The Board of County Commissioners of Hamilton County, Ohio (the “Board”) created MSDGC in 1968. MSDGC is operated under a 50-year contractual agreement with the City. The agreement consolidated the City sewerage services (its own and contractual services provided to 20+ other Hamilton County political subdivisions) with those of Hamilton County's Sewer District No. 1. Under the agreement, the City provides exclusive management of the sewer district's services, per the requirements as outlined in Chapter 6117 of the Revised Code of Ohio, while the Board funds its operating and capital budgets, sets rate structures, and determines its rules and regulations.

## **1.3 PROJECT BACKGROUND AND INFORMATION**

Truck Drivers with Commercial Driver's Licenses (CDLs) and Heavy Equipment Operators play a key role in the operation and maintenance of the MSDGC system. With the current shortage nationwide of qualified Truck Drivers and Heavy Equipment Operators, MSDGC is presently building standardized training programs to develop the competencies and skills of employees that may operate as Truck Drivers and/or Heavy Equipment Operators needed to maintain this sewer system.

MSDGC's training program will use standardized online training and testing to build the basic knowledge and skills needed for driving and operating this equipment. Once an employee has completed the online training and passed all written tests, the employee will be scheduled for individual “hands-on” training with a qualified Practical Trainer.

The Practical Training associated with MSDGC's overall Heavy Equipment Training Program will be completed using services obtained through this RFP process. All practical training will be

completed using MSD owned/leased equipment in order to build skills on the actual equipment that employees will ultimately use on a daily basis, and will be completed at locations established by MSDGC. The offer must follow the training curricular established by MSD. Once a request for the needs of a Trainer(s) is made by MSD Staff the Offeror will supply a trainer within two weeks of the request. The Offeror will be required to maintain adequate liability insurance to utilize MSDGC Trucks and Equipment as part of the practical training. In addition, the following clause will be included in the contract that results from this solicitation:

***[Insert name of selected vendor]** hereby releases, waives, discharges, and covenants not to sue MSD, the City of Cincinnati, or their respective attorneys, representatives, agents, employees, consultants, trustees, council members, and insurers, from any and all liability, claims, demands, actions and causes of action of any kind or nature arising out of or related to any loss, damage, or injury, including death, that the undersigned may sustain resulting from, in connection with, or in any way related to use of the Equipment, regardless of whether such loss is caused by the negligence of MSD and regardless of whether such liability arises in tort, contract, strict liability or otherwise.*

The term "Equipment" is defined further in this RFP.

## **1.4 SCOPE OF SERVICES**

### **Section 1.4.A - CDL Training**

The annual average training needs for CDL Training are as follows; CDL- Class B 384 hrs., CDL- Class A 200 hrs. The selected Offeror will provide a qualified, on-site, one-on-one Trainer (or Trainers) on an hourly basis to provide practical Commercial Driver's License Training to employees(Trainees) preparing to take a CDL test in the states of Ohio, Kentucky or Indiana

The provided CDL Trainer (or Trainers) must:

- possess a detailed knowledge of practical CDL testing procedures in the states of Ohio, Kentucky, and Indiana.
- verify that the trainee is capable of performing CDL (class A & B) Pre-trip Inspections consistent with legal and standard testing requirements.
- accompany trainees on public roadways as an "in-cab coach," and properly train them on:
  - the safe operation of the truck on the road
  - how to make safe right hand and left hand turns
  - what to do when approaching intersections
  - proper ways change lanes
  - what to do before entering or exiting expressway
  - how to properly Stop/start the vehicle
  - what to do when approaching a curve

- what to do before reaching a railroad crossing
- what to look for when approaching a bridge/overpass/sign
- teach trainees general driving skills such as brake usage, lane usage, steering, regular traffic checks, use of turn signals
- teach trainees how to perform standard practical skills such as Straight line backing, Offset backing/right, Offset backing/left, Parallel parking (driver side), Parallel parking (conventional) and Alley docking to meet CDL testing requirements.
- objectively evaluate the trainee on their readiness to take the CDL drivers test, and develop individual coaching plans to prepare trainees based upon their individual strengths and weaknesses.
- accompany trainees to state of Ohio, Kentucky, or Indiana CDL practical test sites for practical tests.

**Note:**

CDL Training Class B – will be done with a single axle dump truck.

CDL Training Class A – will be done with an International road tractor with a fifth wheel trailer

#### **Section 1.4.B -Heavy Construction Equipment Training**

The annual average training needs for Heavy Equipment Training are as follow; 300 hrs. The selected Offeror will provide a qualified, on-site, one-on-one Trainer (or Trainers) on an hourly basis to provide practical hands-on training to employees (Trainees) on the proper and safe operation of the following equipment:

**Skid Steer** - CAT 279C with the following attachments: Vibratory roller, 6 way dozer blade, bucket, bush hog, post-hole digger, ground rack, broom

**Mini-excavator** - CAT 304 with the following attachments: bucket, flail, hammer

**Rubber tire Wheel Loader**- 924K with the following attachments: forks, boom

**Mid-size Excavator** – Kobelco SK85SR & SKI 140SR with the following attachments: bucket, hammer, brush cutting head

**Backhoe** - Case 580, 590, or CAT 430E with the following attachments: bucket, hammer

**Dozer** – Case 850E with the following attachment: winch

**Track Loader** – John Deere 655B with the following attachment: winch

For each piece of Equipment, the provided Trainer (or Trainers) must:

- objectively evaluate the Trainee's competency to successfully complete an appropriate pre-use maintenance and safety inspection on equipment and attachments
- review, demonstrate and evaluate the Trainee on:
  - hands-on tasks required to complete daily preventive maintenance tasks to be performed by the equipment operator on equipment and attachments
  - primary equipment components
  - operating controls of equipment
  - equipment-specific safety issues and guidelines
  - startup, warm-up, and shutdown procedures
  - the equipment's maneuverability and basic operating procedures
  - the proper way to install, operate, and uninstall each attachment assigned to the equipment
  - techniques for operating attachments
  - proper methods to unload, load, and secure equipment on trailer
- objectively evaluate the Trainee on their overall competency to safely and efficiently operate equipment on the job site with minimal supervision

#### **Section 1.4.C - Duration**

The anticipated term of the contract resulting from this RFP is two (2) years with an optional one (1) year extension.

#### **Section 1.4.D – Ownership of Materials**

All finished products and documents shall be the sole property of MSDGC.

### **1.5 QUALIFICATIONS**

Each Practical Trainer provided by the selected Offeror:

1. Must have a minimum of ten (10) years of experience driving a truck with a GVWR greater than 26,000 lbs. Five of those years must include pulling a trailer.
2. Must have a current CDL Class A driver's license
3. Must have a clean Motor Vehicle Record (MVR) for the last 3 years
4. Must have a minimum 10 years of experience running heavy equipment similar to those types noted above
5. Must provide proof of experience (references)

The format for qualification submittals to this RFP are provided in Section 2 of this document.

Experience in these 6 areas should be no more than 2 pages.

## 1.6 TIMETABLE

Milestones for the Process are:

Release Date	JUNE 15, 2016
Pre-submittal Meeting	N/A
<b>RFP Questions / Comments Deadline</b>	<b>JUNE 24, 2016, 1:30 p.m. (Cincinnati, Ohio Time)</b>
<b>SUBMITTAL DEADLINE /TIME</b>	<b>JULY 1, 2016, 1:30 p.m. (Cincinnati, Ohio Time)</b>
Evaluation Dates	July 5 – July 15, 2016
Negotiation and Award	By or before July 31, 2016

## 1.7 QUESTIONS/COMMENTS CONCERNING THE RFP

The City will **only** entertain written questions or comments concerning this RFP by the deadline provided above. These **must** be sent electronically to:

[msd.procurement@cincinnati-oh.gov](mailto:msd.procurement@cincinnati-oh.gov).

## 1.8 PRE-SUBMITTAL MEETING

The City may conduct a pre-submittal meeting for this Project. If a pre-submittal meeting is scheduled, the date, time and location of the pre-submittal meeting will either be identified on the project's web page or will be identified in an addendum. A pre-submittal meeting, if one is to be held, **is not** a mandatory requirement.

## 1.9 RFP SUBMISSIONS AND LOCATION

- One fully executed, printed and bound "Original" submittal and four "Copies", and an electronic copy of the submittal in PDF format (on CD, DVD, or flash drive) shall be received by the City at the locations, time, and date specified herein. The original shall be clearly marked.
- Bound submittal copies shall be delivered to:

***Sewers Procurement  
Two Centennial Plaza  
805 Central Avenue, Suite 234  
Cincinnati, Ohio 45202-1947***

- Offeror bears **SOLE RESPONSIBILITY** to deliver the printed and bound submittal copies to the City by the date and by the time specified in this RFP.
- All bound and printed submittals **MUST** be submitted in a sealed container. The

following notations should be legibly inscribed on the outside of the sealed container (fill-in yellow shaded area):

***Offeror Name***

***RFP #2016-009***

***Training Services for CDL Drivers (Class A&B) & Heavy Equipment Operators***

***July 1, 2016, 1:30 p.m. (Cincinnati, Ohio Time).***

### ***Late submittals will not be accepted.***

- Any proposals submitted past the date and time outlined in this RFP **WILL** be rendered as “non-responsive” by the City.
- ***If requested in writing***, submittals may be withdrawn at any time up to the RFP deadline date and time, at which time Offeror’s submittals will be considered firm. Such requests should be addressed to [msd.procurement@cincinnati-oh.gov](mailto:msd.procurement@cincinnati-oh.gov).

#### **1.10 COMPETITION INTENDED**

Competition shall be generated to the maximum extent practicable, including opportunities for small business enterprises through the MSDGC Small Business Enterprise (SBE) Program. This project shall have a 5% SBE inclusion goal.

#### **1.11 SELECTION PROCESS AND AWARD CRITERIA**

The City will evaluate submittals to achieve the most advantageous outcome based on Offeror proposals.

The City intends to enter into a contract for the subject matter covered under this RFP. Selection of an Offeror or Offerors and subsequent award of a contract will comply with applicable Ohio law, and MSDGC policies.

1.11.1 The City has established the following responsiveness criteria as the basis for evaluating an Offeror’s submittal to this RFP. If an Offeror’s submittal does not meet the criteria listed below, it may be rendered as “non-responsive” by the City.

Responsiveness of Submittals
<b>OVERALL CRITERIA</b>
<ul style="list-style-type: none"><li>• Was submittal received by MSDGC by specified date and time?</li><li>• Did Offeror submit <b>1</b> original printed offer and <b>4</b> copies, and an electronic copy of the submittal in PDF format (on CD, DVD, or flash drive)?</li></ul>



## Responsiveness of Submittals

- Was submittal properly signed on the Affidavit of Accuracy and Signature Page and was the original notarized Affidavit and appropriate documentation of signatory authorization submitted?

### SECTION 2 REQUIREMENTS

- Did Offeror submit Qualifications Questionnaire **Attachment 0** with the submittal?
- Did Offeror submit Qualifications Questionnaire **Attachment 1** with the submittal?
- Did Offeror submit Qualifications Questionnaire **Attachment 2** with the submittal?
  - ◊ Did Offeror submit resumes of key personnel?
  - ◊ Did Offeror adhere to the two-page limit per resume?
  - ◊ Did Offeror submit organizational chart for key personnel performing professional services?
- Did Offeror submit Qualifications Questionnaire **Attachment 4** with the submittal?
  - ◊ Did Offeror adhere to the four-page limit for narrative?
  - ◊ Did Offeror provide a completed MSD 172 form?
- Did Offeror submit Price sheet **Attachment 5** with the submittal?
- Did Offeror submit an Affidavit of Accuracy and Signature Page with the submittal?

1.11.2 The City will review and rank all Offeror's submittals that are received on or before the deadline. The City will then select the submittal that is most advantageous.

1.11.3 The following evaluation factors set forth below will be taken into consideration for the determination of which submittals are most advantageous:

Evaluation Criteria	Max. Weight
Qualifications	20%
Key Personnel	40%
Small Business Enterprise Utilization	20%
Price	20%
<b>Total</b>	<b>100%</b>

1.11.3.1 Qualifications of the firm

1.11.3.2 Under this section, the City will evaluate the Offeror's experience in facilitating training programs comparable to the proposed CDL and Heavy Equipment practical training, and its ability to provide the required services described herein.

1.11.4 Experience of key personnel

1.11.4.1 Under this section, the City will evaluate the Offeror's personnel; especially the training, and experience of the employees who would be assigned to perform the services. The Offeror shall also identify the specialized skills and disciplines that will be required to complete the work, specifically as it relates to CDL (class A&B)

and Heavy Equipment practical training.

1.11.5 Price

1.11.5.1 Under this section, the City will evaluate the Offeror's cost associated with providing this service. Costs must be provided in two sections - Cost per hour for CDL (Class A & B) training, and Cost per hour for Heavy Equipment Training based upon the scope of services contained herein.

1.11.6 Small Business Enterprise utilization

1.11.6.1 For this proposal, the Consultant shall provide the firm's philosophy and approach for the development and growth of small and diverse firms, which has been used by the firm on past projects. Additionally, the Consultant shall provide a project-specific Business Development Plan to address the firm's proposed utilization of SBE firms registered with the MSDGC SBE Program and certified by any of MSD's recognized agencies. At a minimum, this section shall include the following:

1. The Applicant firm's philosophy and approach for the utilization, development and growth of small and diverse firms. Describe the firm's past inclusion performance and accomplishments. The completed MSD 172 Annual S/M/D/WBE Utilization form should complement and be consistent with the firm's philosophy and approach for working with small and diverse firms.
2. A list of all proposed firms for the project including SBE firms registered with the MSDGC SBE Program and certified by any of MSD's recognized agencies, including a brief scope of work assignments and percentage of participation should be included on the Consultant/Subconsultant Utilization Plan for RFQ and RFP form. To be considered for SBE status the SBE firm must be certified (by MSD's recognized agencies) in the NAICS code(s) for the services they will provide on the project.
3. The Consultant shall provide a project-specific Business Development Plan to describe the proposed means to use the certified SBE firms listed in #2 in a meaningful and significant manner and, as a minimum, shall include the following:
  - a. Why you selected this firm for the assignment, the extent to which the proposed assignments will help grow the capacity and capability of the small business.
  - b. Identification of the individual(s) responsible for implementing the project-specific Business Development Plan and their experience coaching others (formal and/or informal).
  - c. If you have selected firms you have not worked with in the past, describe the plan for integrating the firm into your project and your approach to fortifying this relationship. Again, one tenet of the SBE Program is to provide opportunities for certified SBEs that have little or no work history on MSDGC projects.

If the Consultant is a registered MSDGC SBE and certified by one of MSDGC recognized certifying agencies, this should be stated throughout the RFQ. To be considered for certified SBE status the Consultant must be certified in the NAICS

code(s) for the RFQ/P scope of services. At a minimum, this section should include the following:

1. The Consultant firm's philosophy and approach for working with small and diverse firms. Describe the firm's past inclusion performance and accomplishments. This can include work as a prime and/or sub-consultant. The Consultant's response may include a list of the firm's discretionary spend with S/D/M/WBE firms on previous projects. The completed MSD 172 Annual S/D/M/WBE Utilization form should complement and be consistent with the firm's philosophy and approach for working with small and diverse firms.
2. A list of all proposed firms for the project including SBE firms registered with the MSDGC SBE Program and certified by the City of Cincinnati, including a brief scope of work assignments, and percentage of participation should be included on the Consultant/Sub-consultant Utilization Plan for RFQ and RFP form. To be considered for certified SBE status, the SBE firm must be certified in the NAICS code(s) for the services they will provide on the project.
3. The Consultant shall provide the proposed means to use the SBE firms listed in #2 in a meaningful and significant manner.
4. If you have selected firms you have not worked with in the past, describe the plan for integrating the firm into your project and your approach to fortifying this relationship. Again, one tenet of the SBE Program is to provide opportunities for SBEs that have little or no work history on MSDGC projects.

1.11.7 Each submittal will be considered objectively.

1.11.8 Submittals will be evaluated in accordance with the applicable Ohio law and MSDGC policies.

#### **1.12 PROCESS FOR ENTERING INTO AGREEMENT**

The City may award a contract to the successful Offeror(s) considering the total requirements for this procurement and what will be determined to be the most advantageous offer to the City.

Each Offeror whose submittal is found to be the most advantageous will be offered the opportunity to enter into a Professional Agreement (PA) with the City.

All work resulting from this RFP will be based upon a PA. While work scopes and budgets may vary, no work resulting from this RFP and resulting PA will deviate from the general scope of services as outlined below to include other services not contemplated under the RFP.

The scope, terms and conditions of that PA shall be in substantial conformance with the terms, conditions and specifications described in this RFP and with the submittal by the Offeror(s) determined to be the most advantageous.

Any PA that results from the RFP process would be entered into by the City of Cincinnati through its Department of Sewers (the "City"), as the sole management agency for the operation and maintenance of the sewer system on behalf of the Metropolitan Sewer District of Greater Cincinnati (MSDGC) and a single legal entity that has been properly formed at the time the Offeror delivers the submittal to the City (e.g., corporation, partnership, sole proprietorship, limited liability company, limited liability partnership).

The successful Offeror should be prepared to begin contract negotiations upon notification of the Award. If the Offeror is not able to begin contract negotiations, the City may disqualify that Offeror.

The City reserves the right to negotiate the PA to include any portion or portions of the services covered by this RFP.

### **1.13 ADDITIONAL INFORMATION**

The City assumes no obligation to accept or take action on any submittal.

Receipt of a contract through this procurement process is not a guarantee of work.

The City reserves the right to ask for additional information and clarification from or about any or all of the Offerors. The City may require selected Offerors to make an oral presentation of their submittals.

The City reserves the right to check all references furnished and consider responses received in determining the award.

The City reserves the right to perform investigations as may be deemed necessary by the City to assure that competent persons will be and are utilized in the performance of the Agreement and to verify the accuracy of the contents of submittals.

All submittals are subject to the disclosure provisions of the Ohio Public Records provisions of Ohio Revised Code Chapter 149.43.

The City publishes information on the "OpenData" internet web site <https://data.cincinnati-oh.gov/Fiscal-Sustainability-Strategic-Investment/Procurement-Opportunities-and-Contract-Awards/pid3-z56k>. Information will also be published on the internet web site <https://vss.cincinnati-oh.gov/webapp/VSSPROD/AltSelfService> (for registered vendors).

The City strongly encourages interested Offerors to frequently monitor these websites for any RFQ updates and/or addenda.

Information concerning the MSDGC Small Business Enterprise Program may be found at [http://msdgc.org/about\\_msd/capital\\_improvement\\_program/small\\_business\\_enterprise\\_program/index.html](http://msdgc.org/about_msd/capital_improvement_program/small_business_enterprise_program/index.html).

The City further reserves the right to:

1. Reject any or all submittals, to waive any technicalities, immaterial irregularities, or minor informalities in the submittal, to request clarifications or modifications during evaluation, and to select the Offeror whose submittal, in the City's judgment, is most advantageous.
2. Eliminate any Offeror who submits an incomplete or inadequate submittal or is not responsive to the requirements of this RFP.
3. Supplement, amend, or otherwise modify the RFP through the issuance of Addenda to all Offerors, and to supplement the RFP with information items, prior to the submission date of the submittal. Addenda issued to this RFP may expand or cancel any portion or all Work described in this RFP.
4. Clarify the information provided as part of the submittal, including but not limited to holding discussions or meetings with Offerors, requesting additional information from Offerors to support the information included in the submittal, and requesting clarified submittals.
5. Cancel this RFP in whole or in part with or without substitution of another RFP.
6. Take any action affecting the RFP process or the project that are permissible under Ohio law.

#### **1.14 CONTRACTOR REGISTRATION**

Each Offeror awarded a contract shall be a registrant under Vendor Self Service (VSS) at time of award. Go to <http://www.cincinnati-oh.gov/vss/> to register.

#### **1.15 VENDORS INELIGIBLE TO CONTRACT OR SUBCONTRACT WITH THE CITY**

- 1.15.1 The City maintains a list of Vendors Debarred from Contracting or Subcontracting with the City, which may be accessed at: <http://www.cincinnati-oh.gov/purchasing> or may be furnished in other form upon request. The City will not contract with any firm or person on the list. It is the Contractor's responsibility to verify that each subcontractor it proposes to use is an eligible firm or person. The City will not approve a subcontractor whose name appears on the list.
- 1.15.2 The City shall neither accept nor be liable for any increase in costs, or other expenses, delay, loss, or subsequent ineligibility to contract with the City, incurred by a contractor as a result of the City rejecting any proposed person, firm, partner, principal, affiliate, subcontractor or supplier that is debarred or suspended after the submission of a bid,

proposal, or other communication leading to a contract, but before the approval or award of the contract.

#### **1.16 CHANGES AND ADDENDA TO RFP DOCUMENTS**

Information on all changes or addenda issued in relation to this offer will be posted on the "Open Data" website at <https://data.cincinnati-oh.gov> and will be on file with Sewers Procurement. It shall be the Offeror's responsibility to make the inquiry as to changes and addenda issued. All such changes or addenda shall become part of the RFP and all Offerors shall be responsible for taking the contents of such changes or addenda into consideration when preparing and submitting the Submittal.

#### **1.17 MSDGC SMALL BUSINESS ENTERPRISE PROGRAM**

This RFP is subject to the MSDGC Small Business Enterprise Program. The Metropolitan Sewer District of Greater Cincinnati (MSDGC) is committed to increase the participation of small businesses in all aspects of MSDGC contracting. That includes contracting with SBEs directly or indirectly through contracting, subcontracting and/or procurement activities. There are many qualified SBE firms that have performed work with MSDGC, but just as many qualified SBE firms that have not performed work with MSDGC. A tenet of the SBE Program is economic inclusion which includes providing opportunities to firms with little or no work history on MSDGC projects.

The Consultant must demonstrate an understanding of MSDGC's SBE Program tenets and a commitment to using certified SBE firms on MSDGC work where possible and feasible. Firms submitted for SBE consideration shall be registered with the MSDGC Small Business Enterprise Program or City of Cincinnati and certified by the City of Cincinnati in the NAICS codes for the services they will provide on the project. MSDGC recognizes the following certifying agencies economic inclusion programs: City of Cincinnati SBE Program, U.S. Small Business Administration 8(a) Program, State of Ohio Encouraging Diversity Growth & Equity (EDGE) Program and the City of Dayton's Procurement Enhancement Program (PEP).

#### **1.18 NON-DISCRIMINATION POLICY**

MSD is committed to a policy of non-discrimination. Through its submittal, the Offeror agrees that:

- (A) That, in the hiring of employees for the performance of work under the contract or any subcontract, no contractor, subcontractor, or any person acting on a contractor's or subcontractor's behalf, by reason of race, creed, sex, disability or military status as defined in section 4112.01 of the Revised Code, or color, shall discriminate against any citizen of the state in the employment of labor or workers who is qualified and available to perform the work to which the employment relates;
- (B) That no contractor, subcontractor, or any person on a contractor's or subcontractor's behalf, in any manner, shall discriminate against or intimidate any employee hired for the performance of work under the contract on account of race, creed, sex, disability or

military status as defined in section 4112.01 of the Revised Code, or color.

**1.19 MSDGC EQUAL EMPLOYMENT OPPORTUNITY PROGRAM**

Prior to the award of the contract, the selected Offeror must complete and return a MSDGC Form 147; the form must be signed by a person authorized to bind the Offeror. More information on the MSDGC Equal Employment Opportunity Program can be found at the following website:

[http://msdgc.org/about\\_msd/capital\\_improvement\\_program/construction\\_contracts/contract\\_compliance\\_program/eeo/index.html](http://msdgc.org/about_msd/capital_improvement_program/construction_contracts/contract_compliance_program/eeo/index.html).

**(The remainder of this page is left intentionally blank.)**

## 2 CONTRACT TERMS AND CONDITIONS

Refer to the **draft** Professional Agreement available for download on the OpenData website at <https://data.cincinnati-oh.gov/Fiscal-Sustainability-Strategic-Investment/Procurement-Opportunities-and-Contract-Awards/pid3-z56k>.

These draft contract terms and conditions will apply to this RFP once a vendor selection is made. The City reserves the right to amend, augment, change, enhance, or delete sections of the **draft** contract prior to its final execution with a selected vendor.

**(The remainder of this page is left intentionally blank.)**



### 3 SUBMITTALS

#### 3.1 AUTHORIZATION OF SUBMITTAL

The Offeror's proposal must be signed by a person who has legal authority to contractually bind the Offeror.

#### 3.2 CONTENT AND FORM OF SUBMITTAL; QUALIFICATIONS QUESTIONNAIRE

Offerors shall complete the *Qualifications Questionnaire* (QQ) and its AFFIDAVIT OF ACCURACY & SIGNATURE PAGE and provide attachments as outlined therein.

The information presented in the Offeror's submittal shall be clear, complete, and concise.

In addition to the instructions contained in the QQ, the following are also required for the composition (format) of any offer to this RFP:

- The Offeror's submittal **SHALL** include all of the elements outlined in the QQ. Deviation from compliance with the QQ may render the submittal as "non-responsive" as determined by the City.
- **No verbal submittals are acceptable to the City.**
- Offerors **MAY NOT** use the MSDGC logo, City of Cincinnati logo or seal, or Hamilton County seal on their submittal package – **EXCEPT** when such logo or seal appears on forms or documents provided by the City for use by Offerors.
- The Offeror **MUST** submit one printed and bound original and four (4) copies, and an electronic copy of the submittal in PDF format (on CD, DVD, or flashdrive). Deviation from compliance with the number of copies required may render the submittal as "non-responsive" as determined by the City.
- The Offeror's submittal **MUST** include an original signed and notarized affidavit. Deviation from compliance with this requirement may render the submittal as "non-responsive" as determined by the City.
- **NO ADVERTISING LANGUAGE, BROCHURES, PAMPHLETS, OR OTHER BUSINESS SERVICES COMMUNICATIONS OR BUSINESS MARKETING MATERIALS SHALL SUBSTITUTE FOR OR FULFILL THE REQUIREMENTS AS OUTLINED IN THE QQ. NEITHER SHALL SUCH BUSINESS COMMUNICATIONS OR MARKETING MATERIALS BE ALLOWED TO BE SUBMITTED AS A COMPLEMENT TO THE QQ.**

Any inclusion of such materials as outlined above, or, in the determination of the city that meet the intent of such materials as outlined above, may render the offeror's submittal as "non-responsive" as determined by the city.

The QQ is available as a Microsoft Word document SEPARATE FROM THIS RFP and available on the OpenData website at <https://data.cincinnati-oh.gov/Fiscal-Sustainability-Strategic-Investment/Procurement-Opportunities-and-Contract-Awards/pid3-z56k>.

## **2.16 RESPONSIBILITY OF THE CITY**

The City assumes no liability for any costs incurred in preparing or submitting any response to the RFP.

## **2.17 EXCEPTIONS**

Any exceptions to the draft Professional Agreement, the MSDGC Equal Employment Opportunity Program, or to any other portion of this RFP must be made in writing and included with the Offeror's submittal. Exceptions may be determined to not be in the best interest of the City and may be a factor used in submittal evaluation and ranking. Any exceptions taken to the MSDGC Small Business Enterprise Program provisions of this RFP may make the Offeror's submittal non-responsive.

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